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Recons*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of : Group Art Unit: 1615
PANKAJ MODI : Examiner: T. Ware
Serial No. 09/538,829 : Attorney Docket No. 358594-00010-2
Filed: March 30, 2000 :
Entitled:
METHOD FOR ADMINISTERING
INSULIN TO THE BUCCAL
REGION

*Be
11-19-01*RESPONSE

November 12, 2001

Assistant Commissioner for Patents
BOX AF
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated July 12, 2001, in connection with the above-captioned application. A one-month Extension of Time Request is enclosed, bringing the time for reply to November 12, 2001. The Office Action has been carefully reviewed, and the following response offered in an attempt to advance the case to allowance.

REMARKS

Applicant submits the Declaration of Dr. Pankaj Modi and Dr. Lawrence Block in support of the arguments presented below. Applicant files herewith a Terminal Disclaimer over U.S. Patent No. 6,221,378.

Rejections Under 35 U.S.C. § 102

Claims 26-27 and 37 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Manning et al. (5,770,559). According to the Examiner, inhalation of insulin depends upon the patient and the applicant has not shown that